

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

NICOLE JENNINGS WADE,
JONATHAN D. GRUNBERG, and
G. TAYLOR WILSON,

Plaintiffs,

v.

L. LIN WOOD,

Defendant.

Case No. 1:22-cv-1073-MLB

JOINT DEPOSITION DESIGNATIONS AND OBJECTIONS

Plaintiffs and Defendant, through undersigned counsel, submit this Joint Deposition Designations and Objections, showing the Court as follows:

Plaintiffs' Deposition Designations for L. Lin Wood
United States District Court (Case No. 1:22-cv-1073-MLB)

PLAINTIFF: 6:1-4

DEFENDANT: No Objection

PLAINTIFF: 11:2-11

DEFENDANT: No Objection

PLAINTIFF: 21:21-22:2

DEFENDANT: No Objection

PLAINTIFF: 22:21-25:6

DEFENDANT: No Objection

PLAINTIFF: 43:19-44:6

DEFENDANT: No Objection

PLAINTIFF: 48:13-49:16

DEFENDANT: No Objection

PLAINTIFF: 51:21-52:20

DEFENDANT: No Objection

PLAINTIFF: 58:1-7

DEFENDANT: No Objection

PLAINTIFF: 58:15-59:8

DEFENDANT: No Objection

PLAINTIFF: 67:1-25

DEFENDANT: No Objection

PLAINTIFF: 68:14-71:7

DEFENDANT: Defendant Wood objects to the introduction at trial of the portion of his deposition testimony designated above. Defendant respectfully contends that this evidence is irrelevant to the claims pending in this defamation lawsuit and is only intended to produce unfair prejudice and mislead the jury. *See* Fed. R. Evid. 403.

Defendant believes that the Plaintiffs seek introduction of this evidence specifically to argue that Defendant Wood allegedly breached a contract, never intended to honor a contract, and/or committed fraud, distinct claims which are pending in an entirely separate lawsuit. *See Wade, et al v. Wood, et al.*, CAFN: 2020-CV-339937 (pending in the Superior Court of Fulton County). These allegations are outside the scope of the Plaintiffs' defamation lawsuit, have not been sufficiently pled by the Plaintiffs' Complaint, and are entirely unadjudicated. *See Iqbal*, 556 U.S. at 677-80; *Twombly*, 550 U.S. at 554-57; *see also In re Merrill Lynch & Co. Research Reports Sec. Litig.*, 218 F.R.D. 76, 77 (S.D.N.Y. 2003); *In re GDC Technics, LLC*, 643 B.R. 417, 430 (Bankr. W.D. Tex. 2022). Evidence of the same is therefore irrelevant and immaterial to the Plaintiffs' defamation claims and must be ruled inadmissible. *Id.*

Defendant further hereby incorporates by reference the arguments set forth in his Motion in Limine, filed on May 24, 2024.

PLAINTIFF: 84:21-85:4

DEFENDANT: No Objection

PLAINTIFF: 91:8-92:4

DEFENDANT: Defendant Wood objects to the introduction at trial of the portion of his deposition testimony designated above. Defendant respectfully contends that this evidence is irrelevant to the claims pending in this defamation lawsuit and is only intended to produce unfair prejudice and mislead the jury. *See* Fed. R. Evid. 403.

Defendant believes that the Plaintiffs seek introduction of this evidence specifically to argue that Defendant Wood allegedly breached a contract, never intended to honor a contract, and/or committed fraud, distinct claims which are pending in an entirely separate lawsuit. *See Wade, et al v. Wood, et al.*, CAFN: 2020-CV-339937 (pending in the Superior Court of Fulton County). These allegations are outside the scope of the Plaintiffs' defamation lawsuit, have not been sufficiently pled by the Plaintiffs' Complaint, and are entirely unadjudicated. *See Iqbal*, 556 U.S. at 677-80; *Twombly*, 550 U.S. at 554-57; *see also In re Merrill Lynch & Co. Research Reports Sec. Litig.*, 218 F.R.D. 76, 77 (S.D.N.Y. 2003); *In re GDC Technics, LLC*, 643 B.R. 417, 430 (Bankr. W.D. Tex. 2022). Evidence of the same is therefore irrelevant and immaterial to the Plaintiffs' defamation claims and must be ruled inadmissible. *Id.*

Defendant further hereby incorporates by reference the arguments set forth in his Motion in Limine, filed on May 24, 2024.

PLAINTIFF: 101:25-102:25

DEFENDANT: Defendant Wood objects to the introduction at trial of the portion of his deposition testimony designated above. Defendant respectfully contends that this evidence is irrelevant to the claims pending in this defamation lawsuit and is only intended to produce unfair prejudice and mislead the jury. *See* Fed. R. Evid. 403.

Defendant believes that the Plaintiffs seek introduction of this evidence specifically to argue that Defendant Wood allegedly breached a contract, never intended to honor a contract, and/or committed fraud, distinct claims which are pending in an entirely separate lawsuit. *See Wade, et al v. Wood, et al.*, CAFN: 2020-CV-339937 (pending in the Superior Court of Fulton County). These allegations are outside the scope of the Plaintiffs' defamation lawsuit, have not been sufficiently pled by the Plaintiffs' Complaint, and are entirely unadjudicated. *See Iqbal*, 556 U.S. at 677-80; *Twombly*, 550 U.S. at 554-57; *see also In re Merrill Lynch & Co. Research Reports Sec. Litig.*, 218 F.R.D. 76, 77 (S.D.N.Y. 2003); *In re GDC Technics, LLC*, 643 B.R. 417, 430 (Bankr. W.D. Tex. 2022). Evidence of the same is therefore irrelevant and immaterial to the Plaintiffs' defamation claims and must be ruled inadmissible. *Id.*

Defendant further hereby incorporates by reference the arguments set forth in his Motion in Limine, filed on May 24, 2024.

PLAINTIFF: 103:18-104:3

DEFENDANT: Defendant Wood objects to the introduction at trial of the portion of his deposition testimony designated above. Defendant respectfully contends that this evidence is irrelevant to the claims pending in this defamation lawsuit and is only intended to produce unfair prejudice and mislead the jury. *See Fed. R. Evid. 403.*

Defendant believes that the Plaintiffs seek introduction of this evidence specifically to argue that Defendant Wood allegedly breached a contract, never intended to honor a contract, and/or committed fraud, distinct claims which are pending in an entirely separate lawsuit. *See Wade, et al v. Wood, et al.*, CAFN: 2020-CV-339937 (pending in the Superior Court of Fulton County). These allegations are outside the scope of the Plaintiffs' defamation lawsuit, have not been sufficiently pled by the Plaintiffs' Complaint, and are entirely unadjudicated. *See Iqbal*, 556 U.S. at 677-80; *Twombly*, 550 U.S. at 554-57; *see also In re Merrill Lynch & Co. Research Reports Sec. Litig.*, 218 F.R.D. 76, 77 (S.D.N.Y. 2003); *In re GDC Technics, LLC*, 643 B.R. 417, 430 (Bankr. W.D. Tex. 2022). Evidence of the same is therefore irrelevant and immaterial to the Plaintiffs' defamation claims and must be ruled inadmissible. *Id.*

Defendant further hereby incorporates by reference the arguments set forth in his Motion in Limine, filed on May 24, 2024.

PLAINTIFF: 112:1-113:10

DEFENDANT: No Objection

PLAINTIFF: 117:7-118:11

DEFENDANT: No Objection

PLAINTIFF: 119:6-120:16

DEFENDANT: No Objection

PLAINTIFF: 120:19-122:15

DEFENDANT: No Objection

PLAINTIFF: 124:1-129:23

DEFENDANT: No Objection

PLAINTIFF: 130:11-131:3

DEFENDANT: Defendant Wood objects to the introduction at trial of the entirety of the portion of his deposition testimony designated above. Defendant specifically objects to pg. 130:23-131:3 of the portion of his deposition testimony designated by the Plaintiffs. These statements simply have no relevance or connection to the claims pending in this case and are only intended to produce unfair prejudice and mislead the jury. *See* Fed. R. Evid. 403.

PLAINTIFF: 138:25-139:15

DEFENDANT: No Objection

PLAINTIFF: 139:17-23

DEFENDANT: No Objection

PLAINTIFF: 140:9-10

DEFENDANT: No Objection

PLAINTIFF: 140:12-13

DEFENDANT: Defendant Wood objects to the introduction at trial of the portion of his deposition testimony designated above. The Defendant's specific knowledge of the elements of a criminal statutory offense has no bearing on, or relevance to, the claims pending in this case. *See* Fed. R. Evid. 401 and 402.

PLAINTIFF: 140:16-141:14

DEFENDANT: Defendant Wood objects to the introduction at trial of the portion of his deposition testimony designated above. The Defendant's specific knowledge of the elements of a criminal statutory offense has no bearing on, or relevance to, the claims pending in this case. *See* Fed. R. Evid. 401 and 402.

PLAINTIFF: 141:16-18

DEFENDANT: Defendant Wood objects to the introduction at trial of the portion of his deposition testimony designated above. The Defendant's specific knowledge of the elements of a criminal statutory offense has no bearing on, or relevance to, the claims pending in this case. *See* Fed. R. Evid. 401 and 402.

PLAINTIFF: 141:20-143:18

DEFENDANT: Defendant Wood objects to the introduction at trial of the portion of his deposition testimony designated above. The Defendant's specific knowledge of the elements of a criminal statutory offense has no bearing on, or relevance to, the claims pending in this case. *See* Fed. R. Evid. 401 and 402.

PLAINTIFF: 144:9-12

DEFENDANT: Defendant Wood objects to the introduction at trial of the portion of his deposition testimony designated above. Whether or not a contract, which is *not* at issue in the present action, contains confidentiality provisions has no bearing on, or relevance to, the claims pending in this case. *See* Fed. R. Evid. 401 and 402.

PLAINTIFF: 157:2-13

DEFENDANT: No Objection

PLAINTIFF: 157:24-163:2

DEFENDANT: No Objection

PLAINTIFF: 163:8-164:8

DEFENDANT: No Objection

PLAINTIFF: 177:1-11

DEFENDANT: Defendant Wood objects to the introduction at trial of the portion of his deposition testimony designated above. Defendant respectfully contends that this evidence is irrelevant to the claims pending in this defamation lawsuit and is only intended to produce unfair prejudice and mislead the jury. *See* Fed. R. Evid. 403.

Defendant believes that the Plaintiffs seek introduction of this evidence specifically to argue that Defendant Wood allegedly breached a contract, never intended to honor a contract, and/or committed fraud, distinct claims which are pending in an entirely separate lawsuit. *See Wade, et al v. Wood, et al.*, CAFN: 2020-CV-339937 (pending in the Superior Court of Fulton County). These allegations are outside the scope of the Plaintiffs' defamation lawsuit, have not been sufficiently pled by the Plaintiffs' Complaint, and are entirely unadjudicated. *See Iqbal*, 556 U.S. at 677-80; *Twombly*, 550 U.S. at 554-57; *see also In re Merrill Lynch & Co. Research Reports Sec. Litig.*, 218 F.R.D. 76, 77 (S.D.N.Y. 2003); *In re GDC Technics, LLC*, 643 B.R. 417, 430 (Bankr. W.D. Tex. 2022). Evidence of the same is therefore irrelevant and immaterial to the Plaintiffs' defamation claims and must be ruled inadmissible. *Id.*

Defendant further hereby incorporates by reference the arguments set forth in his Motion in Limine, filed on May 24, 2024.

PLAINTIFF: 186:16-189:17

DEFENDANT: No Objection

PLAINTIFF: 217:22-218:5

DEFENDANT: Defendant Wood objects to the introduction at trial of the portion of his deposition testimony designated above. Defendant respectfully contends that this evidence is irrelevant to the claims pending in this defamation lawsuit and is only intended to produce unfair prejudice and mislead the jury. *See* Fed. R. Evid. 403.

Defendant believes that the Plaintiffs seek introduction of this evidence specifically to argue that Defendant Wood allegedly breached a contract, never intended to honor a contract, and/or committed fraud, distinct claims which are pending in an entirely separate lawsuit. *See Wade, et al v. Wood, et al.*, CAFN: 2020-CV-339937 (pending in the Superior Court of Fulton County). These allegations are outside the scope of the Plaintiffs' defamation lawsuit, have not been sufficiently pled by the Plaintiffs' Complaint, and are entirely unadjudicated. *See Iqbal*, 556 U.S. at 677-80; *Twombly*, 550 U.S. at 554-57; *see also In re Merrill Lynch & Co. Research Reports Sec. Litig.*, 218 F.R.D. 76, 77 (S.D.N.Y. 2003); *In re GDC Technics, LLC*, 643 B.R. 417, 430 (Bankr. W.D. Tex. 2022). Evidence of the same is therefore irrelevant and immaterial to the Plaintiffs' defamation claims and must be ruled inadmissible. *Id.*

Defendant further hereby incorporates by reference the arguments set forth in his Motion in Limine, filed on May 24, 2024.

Plaintiffs' Deposition Designations for L. Lin Wood
Fulton County Superior Court (2020-CV-339937)

PLAINTIFF: 174:11 – 175:21

DEFENDANT: Defendant Wood objects to the introduction at trial of the portion of his deposition testimony designated above. Defendant respectfully contends that this evidence is irrelevant to the claims pending in this defamation lawsuit and is only intended to produce unfair prejudice and mislead the jury. *See Fed. R. Evid. 403.*

Defendant believes that the Plaintiffs seek introduction of this evidence specifically to argue that Defendant Wood allegedly breached a contract, never intended to honor a contract, and/or committed fraud, distinct claims which are pending in an entirely separate lawsuit. *See Wade, et al v. Wood, et al.*, CAFN: 2020-CV-339937 (pending in the Superior Court of Fulton County). These allegations are outside the scope of the Plaintiffs' defamation lawsuit, have not been sufficiently pled by the Plaintiffs' Complaint, and are entirely unadjudicated. *See Iqbal*, 556 U.S. at 677-80; *Twombly*, 550 U.S. at 554-57; *see also In re Merrill Lynch & Co. Research Reports Sec. Litig.*, 218 F.R.D. 76, 77 (S.D.N.Y. 2003); *In re GDC Technics, LLC*, 643 B.R. 417, 430 (Bankr. W.D. Tex. 2022). Evidence of the same

is therefore irrelevant and immaterial to the Plaintiffs' defamation claims and must be ruled inadmissible. *Id.*

Defendant further hereby incorporates by reference the arguments set forth in his Motion in Limine, filed on May 24, 2024.

Deposition Designations for Todd V. McMurtry
Fulton County Superior Court (2020-CV-339937)

PLAINTIFF: 10:17-13:13

DEFENDANT: Defendant Wood objects to the introduction at trial of the entirety of the portion of the Deposition of Todd v. McMurtry designated above. Defendant specifically objects to pg. 12:19-25 of the portion of his deposition testimony designated by the Plaintiffs. This portion contains an objection by counsel for the witness which should not be included as part of evidence.

PLAINTIFF: 13:17-14:25

DEFENDANT: No Objection

PLAINTIFF: 15:9-16

DEFENDANT: No Objection

PLAINTIFF: 16:7-17:9

DEFENDANT: No Objection

PLAINTIFF: 18:10-19:9

DEFENDANT: No Objection

PLAINTIFF: 19:11

DEFENDANT: No Objection

PLAINTIFF: 29:19-24

DEFENDANT: Defendant Wood objects to the introduction at trial of the portion of the Deposition of Todd v. McMurtry designated above. Defendant respectfully contends that this evidence is irrelevant to the claims pending in this defamation lawsuit and is only intended to produce unfair prejudice and mislead the jury. *See* Fed. R. Evid. 403.

Defendant believes that the Plaintiffs seek introduction of this evidence specifically to argue that Defendant Wood allegedly breached a contract, never intended to honor a contract, and/or committed fraud, distinct claims which are pending in an entirely separate lawsuit. *See Wade, et al v. Wood, et al.*, CAFN: 2020-CV-339937 (pending in the Superior Court of Fulton County). These allegations are outside the scope of the Plaintiffs' defamation lawsuit, have not been sufficiently pled by the Plaintiffs' Complaint, and are entirely unadjudicated. *See Iqbal*, 556 U.S. at 677-80; *Twombly*, 550 U.S. at 554-57; *see also In re Merrill Lynch & Co. Research Reports Sec. Litig.*, 218 F.R.D. 76, 77 (S.D.N.Y. 2003); *In re GDC Technics, LLC*, 643 B.R. 417, 430 (Bankr. W.D. Tex. 2022). Evidence of the same is therefore irrelevant and immaterial to the Plaintiffs' defamation claims and must be ruled inadmissible. *Id.*

Defendant further hereby incorporates by reference the arguments set forth in his Motion in Limine, filed on May 24, 2024.

PLAINTIFF: 35:5-20

DEFENDANT: Defendant Wood objects to the introduction at trial of the portion of the Deposition of Todd v. McMurtry designated above. Defendant respectfully contends that this evidence is irrelevant to the claims pending in this defamation lawsuit and is only intended to produce unfair prejudice and mislead the jury. *See Fed. R. Evid. 403.*

Defendant believes that the Plaintiffs seek introduction of this evidence specifically to argue that Defendant Wood allegedly breached a contract, never intended to honor a contract, and/or committed fraud, distinct claims which are pending in an entirely separate lawsuit. *See Wade, et al v. Wood, et al.*, CAFN: 2020-CV-339937 (pending in the Superior Court of Fulton County). These allegations are outside the scope of the Plaintiffs' defamation lawsuit, have not been sufficiently pled by the Plaintiffs' Complaint, and are entirely unadjudicated. *See Iqbal*, 556 U.S. at 677-80; *Twombly*, 550 U.S. at 554-57; *see also In re Merrill Lynch & Co. Research Reports Sec. Litig.*, 218 F.R.D. 76, 77 (S.D.N.Y. 2003); *In re GDC Technics, LLC*, 643 B.R. 417, 430 (Bankr. W.D. Tex. 2022). Evidence of the same is therefore irrelevant and immaterial to the Plaintiffs' defamation claims and must be ruled inadmissible. *Id.*

Defendant further hereby incorporates by reference the arguments set forth in his Motion in Limine, filed on May 24, 2024.

PLAINTIFF: 45:25-46:20

DEFENDANT: Defendant Wood objects to the introduction at trial of the portion of the Deposition of Todd v. McMurtry designated above. Defendant respectfully contends that this evidence is irrelevant to the claims pending in this defamation lawsuit and is only intended to produce unfair prejudice and mislead the jury. *See* Fed. R. Evid. 403.

Defendant believes that the Plaintiffs seek introduction of this evidence specifically to argue that Defendant Wood allegedly breached a contract, never intended to honor a contract, and/or committed fraud, distinct claims which are pending in an entirely separate lawsuit. *See Wade, et al v. Wood, et al.*, CAFN: 2020-CV-339937 (pending in the Superior Court of Fulton County). These allegations are outside the scope of the Plaintiffs' defamation lawsuit, have not been sufficiently pled by the Plaintiffs' Complaint, and are entirely unadjudicated. *See Iqbal*, 556 U.S. at 677-80; *Twombly*, 550 U.S. at 554-57; *see also In re Merrill Lynch & Co. Research Reports Sec. Litig.*, 218 F.R.D. 76, 77 (S.D.N.Y. 2003); *In re GDC Technics, LLC*, 643 B.R. 417, 430 (Bankr. W.D. Tex. 2022). Evidence of the same is therefore irrelevant and immaterial to the Plaintiffs' defamation claims and must be ruled inadmissible. *Id.*

Defendant further hereby incorporates by reference the arguments set forth in his Motion in Limine, filed on May 24, 2024.

DEFENDANT: 63

PLAINTIFF: No Objection

PLAINTIFF: 63:25-64:10

DEFENDANT: Defendant Wood objects to the introduction at trial of the portion of the Deposition of Todd v. McMurtry designated above. Defendant respectfully contends that this evidence is irrelevant to the claims pending in this defamation lawsuit and is only intended to produce unfair prejudice and mislead the jury. *See* Fed. R. Evid. 403.

Defendant believes that the Plaintiffs seek introduction of this evidence specifically to argue that Defendant Wood allegedly breached a contract, never intended to honor a contract, and/or committed fraud, distinct claims which are pending in an entirely separate lawsuit. *See Wade, et al v. Wood, et al.*, CAFN: 2020-CV-339937 (pending in the Superior Court of Fulton County). These allegations are outside the scope of the Plaintiffs' defamation lawsuit, have not been sufficiently pled by the Plaintiffs' Complaint, and are entirely unadjudicated. *See Iqbal*, 556 U.S. at 677-80; *Twombly*, 550 U.S. at 554-57; *see also In re Merrill Lynch & Co. Research Reports Sec. Litig.*, 218 F.R.D. 76, 77 (S.D.N.Y. 2003); *In re GDC Technics, LLC*, 643 B.R. 417, 430 (Bankr. W.D. Tex. 2022). Evidence of the same is therefore irrelevant and immaterial to the Plaintiffs' defamation claims and must be ruled inadmissible. *Id.*

Defendant further hereby incorporates by reference the arguments set forth in his Motion in Limine, filed on May 24, 2024.

DEFENDANT: 71:1 – 74:15

PLAINTFF: Objection: All references to statements allegedly made by Alston & Bird are hearsay, Rule 801: 71:16 – 72:15, 73:14 (beginning with “So what...” – 73:16, 74:9-10 (beginning with “My position...”)).

DEFENDANT: 79:22 – 80:2

PLAINTFF: Relevance objection, Rule 401.

DEFENDANT: 94:3 – 96:14;

PLAINTFF: Hearsay objection, Rule 801: 94:3 – 95:14, 96:8 – 96:14.

DEFENDANT: 98:24 – 99:11

PLAINTFF: Plaintiffs' counter designation: 98:18-99:11 for completeness purposes.

PLAINTIFF: 99:12-14

DEFENDANT: Defendant Wood objects to the introduction at trial of the portion of the Deposition of Todd v. McMurtry designated above. Defendant respectfully contends that this evidence is irrelevant to the claims pending in this defamation lawsuit and is only intended to produce unfair prejudice and mislead the jury. *See Fed. R. Evid. 403.*

Defendant believes that the Plaintiffs seek introduction of this evidence specifically to argue that Defendant Wood allegedly breached a contract, never intended to honor a contract, and/or committed fraud, distinct claims which are pending in an entirely separate lawsuit. *See Wade, et al v. Wood, et al.*, CAFN: 2020-CV-339937 (pending in the Superior Court of Fulton County). These allegations are outside the scope of the Plaintiffs' defamation lawsuit, have not been sufficiently pled by the Plaintiffs' Complaint, and are entirely unadjudicated. *See Iqbal*, 556 U.S. at 677-80; *Twombly*, 550 U.S. at 554-57; *see also In re Merrill Lynch & Co. Research Reports Sec. Litig.*, 218 F.R.D. 76, 77 (S.D.N.Y. 2003); *In re GDC Technics, LLC*, 643 B.R. 417, 430 (Bankr. W.D. Tex. 2022). Evidence of the same is therefore irrelevant and immaterial to the Plaintiffs' defamation claims and must be ruled inadmissible. *Id.*

Defendant further hereby incorporates by reference the arguments set forth in his Motion in Limine, filed on May 24, 2024.

DEFENDANT: 100:25 – 102:12

PLAINTIFF: Plaintiffs' counter designation: 101:7 – 102:17 for completeness purposes.

PLAINTIFF: 102:13-103:4

DEFENDANT: Defendant Wood objects to the introduction at trial of the portion of the Deposition of Todd v. McMurtry designated above. Defendant respectfully contends that this evidence is irrelevant to the claims pending in this defamation lawsuit and is only intended to produce unfair prejudice and mislead the jury. *See Fed. R. Evid.* 403.

Defendant believes that the Plaintiffs seek introduction of this evidence specifically to argue that Defendant Wood allegedly breached a contract, never intended to honor a contract, and/or committed fraud, distinct claims which are pending in an entirely separate lawsuit. *See Wade, et al v. Wood, et al.*, CAFN: 2020-CV-339937 (pending in the Superior Court of Fulton County). These allegations are outside the scope of the Plaintiffs' defamation lawsuit, have not been sufficiently pled by the Plaintiffs' Complaint, and are entirely unadjudicated. *See Iqbal*, 556 U.S. at 677-80; *Twombly*, 550 U.S. at 554-57; *see also In re Merrill Lynch & Co. Research Reports Sec. Litig.*, 218 F.R.D. 76, 77 (S.D.N.Y. 2003); *In re GDC Technics, LLC*, 643 B.R. 417, 430 (Bankr. W.D. Tex. 2022). Evidence of the same

is therefore irrelevant and immaterial to the Plaintiffs' defamation claims and must be ruled inadmissible. *Id.*

Defendant further hereby incorporates by reference the arguments set forth in his Motion in Limine, filed on May 24, 2024.

PLAINTIFF: 104:11-14

DEFENDANT: Defendant Wood objects to the introduction at trial of the portion of the Deposition of Todd v. McMurtry designated above. Defendant respectfully contends that this evidence is irrelevant to the claims pending in this defamation lawsuit and is only intended to produce unfair prejudice and mislead the jury. *See* Fed. R. Evid. 403.

Defendant believes that the Plaintiffs seek introduction of this evidence specifically to argue that Defendant Wood allegedly breached a contract, never intended to honor a contract, and/or committed fraud, distinct claims which are pending in an entirely separate lawsuit. *See Wade, et al v. Wood, et al.*, CAFN: 2020-CV-339937 (pending in the Superior Court of Fulton County). These allegations are outside the scope of the Plaintiffs' defamation lawsuit, have not been sufficiently pled by the Plaintiffs' Complaint, and are entirely unadjudicated. *See Iqbal*, 556 U.S. at 677-80; *Twombly*, 550 U.S. at 554-57; *see also In re Merrill Lynch & Co. Research Reports Sec. Litig.*, 218 F.R.D. 76, 77 (S.D.N.Y. 2003); *In re GDC Technics, LLC*, 643 B.R. 417, 430 (Bankr. W.D. Tex. 2022). Evidence of the same is therefore irrelevant and immaterial to the Plaintiffs' defamation claims and must be ruled inadmissible. *Id.*

Defendant further hereby incorporates by reference the arguments set forth in his Motion in Limine, filed on May 24, 2024.

DEFENDANT: 104:22 – 105:4

PLAINTFF: Plaintiffs' Objection: Hearsay, Rule 801: 104:22 – 105:4.

DEFENDANT: 105:5 -13

PLAINTFF: Plaintiffs' Objection: Hearsay, Rule 801: 105:5 – 105:13.

PLAINTIFF: 105:15-20

DEFENDANT: Defendant Wood objects to the introduction at trial of the portion of the Deposition of Todd v. McMurtry designated above. Defendant respectfully contends that this evidence is irrelevant to the claims pending in this defamation lawsuit and is only intended to produce unfair prejudice and mislead the jury. *See* Fed. R. Evid. 403.

Defendant believes that the Plaintiffs seek introduction of this evidence specifically to argue that Defendant Wood allegedly breached a contract, never intended to honor a contract, and/or committed fraud, distinct claims which are pending in an entirely separate lawsuit. *See Wade, et al v. Wood, et al.*, CAFN: 2020-CV-339937 (pending in the Superior Court of Fulton County). These allegations are outside the scope of the Plaintiffs' defamation lawsuit, have not been sufficiently pled by the Plaintiffs' Complaint, and are entirely unadjudicated. *See Iqbal*, 556 U.S. at 677-80; *Twombly*, 550 U.S. at 554-57; *see also In re Merrill Lynch & Co. Research Reports Sec. Litig.*, 218 F.R.D. 76, 77 (S.D.N.Y. 2003); *In re GDC Technics, LLC*, 643 B.R. 417, 430 (Bankr. W.D. Tex. 2022). Evidence of the same is therefore irrelevant and immaterial to the Plaintiffs' defamation claims and must be ruled inadmissible. *Id.*

Defendant further hereby incorporates by reference the arguments set forth in his Motion in Limine, filed on May 24, 2024.

PLAINTIFF: 105:22-106:2

DEFENDANT: Defendant Wood objects to the introduction at trial of the portion of the Deposition of Todd v. McMurtry designated above. Defendant respectfully contends that this evidence is irrelevant to the claims pending in this defamation lawsuit and is only intended to produce unfair prejudice and mislead the jury. *See* Fed. R. Evid. 403.

Defendant believes that the Plaintiffs seek introduction of this evidence specifically to argue that Defendant Wood allegedly breached a contract, never intended to honor a contract, and/or committed fraud, distinct claims which are pending in an entirely separate lawsuit. *See Wade, et al v. Wood, et al.*, CAFN: 2020-CV-339937 (pending in the Superior Court of Fulton County). These allegations are outside the scope of the Plaintiffs' defamation lawsuit, have not been sufficiently pled by the Plaintiffs' Complaint, and are entirely unadjudicated. *See Iqbal*, 556 U.S. at 677-80; *Twombly*, 550 U.S. at 554-57; *see also In re Merrill Lynch & Co.*

Research Reports Sec. Litig., 218 F.R.D. 76, 77 (S.D.N.Y. 2003); *In re GDC Technics, LLC*, 643 B.R. 417, 430 (Bankr. W.D. Tex. 2022). Evidence of the same is therefore irrelevant and immaterial to the Plaintiffs' defamation claims and must be ruled inadmissible. *Id.*

Defendant further hereby incorporates by reference the arguments set forth in his Motion in Limine, filed on May 24, 2024.

DEFENDANT: 106:4 – 107:3

PLAINTIFF: Plaintiffs' Objection: Hearsay, Rule 801:106:11 – 106:13 (beginning with "and they..."). Counter designation: 106:4 – 107:6, 130:20 – 131:5 for completeness purposes.

PLAINTIFF: 121:3-12

DEFENDANT: Defendant Wood objects to the introduction at trial of the portion of the Deposition of Todd v. McMurtry designated above. Defendant respectfully contends that this evidence is irrelevant to the claims pending in this defamation lawsuit and is only intended to produce unfair prejudice and mislead the jury. *See Fed. R. Evid.* 403.

Defendant believes that the Plaintiffs seek introduction of this evidence specifically to argue that Defendant Wood allegedly breached a contract, never intended to honor a contract, and/or committed fraud, distinct claims which are pending in an entirely separate lawsuit. *See Wade, et al v. Wood, et al.*, CAFN: 2020-CV-339937 (pending in the Superior Court of Fulton County). These allegations are outside the scope of the Plaintiffs' defamation lawsuit, have not been sufficiently pled by the Plaintiffs' Complaint, and are entirely unadjudicated. *See Iqbal*, 556 U.S. at 677-80; *Twombly*, 550 U.S. at 554-57; *see also In re Merrill Lynch & Co. Research Reports Sec. Litig.*, 218 F.R.D. 76, 77 (S.D.N.Y. 2003); *In re GDC Technics, LLC*, 643 B.R. 417, 430 (Bankr. W.D. Tex. 2022). Evidence of the same is therefore irrelevant and immaterial to the Plaintiffs' defamation claims and must be ruled inadmissible. *Id.*

Defendant further hereby incorporates by reference the arguments set forth in his Motion in Limine, filed on May 24, 2024.

DEFENDANT: 123:7-13

PLAINTIFF: Counter designation: 123:24 – 124:8 for completeness purposes.

PLAINTIFF: 124:9-14

DEFENDANT: Defendant Wood objects to the introduction at trial of the portion of the Deposition of Todd v. McMurtry designated above. Defendant respectfully contends that this evidence is irrelevant to the claims pending in this defamation lawsuit and is only intended to produce unfair prejudice and mislead the jury. *See* Fed. R. Evid. 403.

Defendant believes that the Plaintiffs seek introduction of this evidence specifically to argue that Defendant Wood allegedly breached a contract, never intended to honor a contract, and/or committed fraud, distinct claims which are pending in an entirely separate lawsuit. *See Wade, et al v. Wood, et al.*, CAFN: 2020-CV-339937 (pending in the Superior Court of Fulton County). These allegations are outside the scope of the Plaintiffs' defamation lawsuit, have not been sufficiently pled by the Plaintiffs' Complaint, and are entirely unadjudicated. *See Iqbal*, 556 U.S. at 677-80; *Twombly*, 550 U.S. at 554-57; *see also In re Merrill Lynch & Co. Research Reports Sec. Litig.*, 218 F.R.D. 76, 77 (S.D.N.Y. 2003); *In re GDC Technics, LLC*, 643 B.R. 417, 430 (Bankr. W.D. Tex. 2022). Evidence of the same is therefore irrelevant and immaterial to the Plaintiffs' defamation claims and must be ruled inadmissible. *Id.*

Defendant further hereby incorporates by reference the arguments set forth in his Motion in Limine, filed on May 24, 2024.

PLAINTIFF: 124:25-125:2

DEFENDANT: Defendant Wood objects to the introduction at trial of the portion of the Deposition of Todd v. McMurtry designated above. Defendant respectfully contends that this evidence is irrelevant to the claims pending in this defamation lawsuit and is only intended to produce unfair prejudice and mislead the jury. *See* Fed. R. Evid. 403.

Defendant believes that the Plaintiffs seek introduction of this evidence specifically to argue that Defendant Wood allegedly breached a contract, never intended to honor a contract, and/or committed fraud, distinct claims which are

pending in an entirely separate lawsuit. *See Wade, et al v. Wood, et al.*, CAFN: 2020-CV-339937 (pending in the Superior Court of Fulton County). These allegations are outside the scope of the Plaintiffs' defamation lawsuit, have not been sufficiently pled by the Plaintiffs' Complaint, and are entirely unadjudicated. *See Iqbal*, 556 U.S. at 677-80; *Twombly*, 550 U.S. at 554-57; *see also In re Merrill Lynch & Co. Research Reports Sec. Litig.*, 218 F.R.D. 76, 77 (S.D.N.Y. 2003); *In re GDC Technics, LLC*, 643 B.R. 417, 430 (Bankr. W.D. Tex. 2022). Evidence of the same is therefore irrelevant and immaterial to the Plaintiffs' defamation claims and must be ruled inadmissible. *Id.*

Defendant further hereby incorporates by reference the arguments set forth in his Motion in Limine, filed on May 24, 2024.

DEFENDANT: 129:6 – 130:6

PLAINTIFF: No Objection

PLAINTIFF: 130:17-131:5

DEFENDANT: Defendant Wood objects to the introduction at trial of the portion of the Deposition of Todd v. McMurtry designated above. Defendant respectfully contends that this evidence is irrelevant to the claims pending in this defamation lawsuit and is only intended to produce unfair prejudice and mislead the jury. *See Fed. R. Evid.* 403.

Defendant believes that the Plaintiffs seek introduction of this evidence specifically to argue that Defendant Wood allegedly breached a contract, never intended to honor a contract, and/or committed fraud, distinct claims which are pending in an entirely separate lawsuit. *See Wade, et al v. Wood, et al.*, CAFN: 2020-CV-339937 (pending in the Superior Court of Fulton County). These allegations are outside the scope of the Plaintiffs' defamation lawsuit, have not been sufficiently pled by the Plaintiffs' Complaint, and are entirely unadjudicated. *See Iqbal*, 556 U.S. at 677-80; *Twombly*, 550 U.S. at 554-57; *see also In re Merrill Lynch & Co. Research Reports Sec. Litig.*, 218 F.R.D. 76, 77 (S.D.N.Y. 2003); *In re GDC Technics, LLC*, 643 B.R. 417, 430 (Bankr. W.D. Tex. 2022). Evidence of the same is therefore irrelevant and immaterial to the Plaintiffs' defamation claims and must be ruled inadmissible. *Id.*

Defendant further hereby incorporates by reference the arguments set forth in his Motion in Limine, filed on May 24, 2024.

DEFENDANT: 133:4-14

PLAINTFF: No Objection

DEFENDANT: 133:23 – 134:2

PLAINTFF: No Objection

DEFENDANT: 134:11 – 135:6

PLAINTFF: Plaintiffs' Objection: Hearsay objection, Rule 801: 134:23-135:2.

DEFENDANT: 141:1 – 143:15

PLAINTFF: Objection, vagueness: 141:4-6. Plaintiffs' Objection: Relevance objection, Rule 401.

DEFENDANT: 145:2 – 148:8

PLAINTFF: Plaintiffs' Objection: Relevance objection, Rule 401 and unfairly prejudicial, Rule 403.

145:2-8: Objection regarding Paragraph 5 in complaint, question is not a complete statement of Paragraph 5.

/s/ Andrew M. Beal

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****signed with express permission**

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

NICOLE JENNINGS WADE,
JONATHAN D. GRUNBERG, and
G. TAYLOR WILSON,

Plaintiffs,

v.

L. LIN WOOD,

Defendant.

Case No. 1:22-cv-1073-MLB

CERTIFICATE OF SERVICE

This is to certify that I have this day served a copy of the foregoing pleading upon all parties of record by filing same with the Court's electronic filing system which will deliver a copy to all counsel of record.

Respectfully submitted, this the 29th day of May, 2024.

**BEAL SUTHERLAND
BERLIN & BROWN, LLC**

/s/ Andrew M. Beal
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